# MONMOUTH PARK RACES.

Second Day of the First Summer Meeting.

Fine Weather and Fashionable Attendance.

Toils and Troubles of a Ride to the Track.

SCENES AT THE COURSE.

THREE GOOD RACES.

Caroline the Winner of the Hopeful Stakes. Donnybrook the Two Mile Heats and Tom Bowling the Monmouth Cup.

The second day of the summer meeting at Monmouth Park was everything, in a meteorological point of view, that the most ardent turfite would wish. The morning boats and trains were crowded, and the attendance at the course was very large. Yet from the favorite watering place the visitors were few and far between. The great metropolis sent for the day the greater number of the patrons of the course. They were many and motley. Pashion was there in its most conspicuous form, and its opposite might be found on the forward decks of the boats, the platforms of the cars and the outer edge of the course. The ride from Long Branch to its representative race track abounds in pleasant views of country summer seats, Arcadian like villages and overwhelming dust. There are old-fashioned Jersey homesteads, grimy in their dust and age and venerable in their reminiscences, plethoric in their barefooted youngsters and seedy cloud of dust rises, a glimpse is afforded of a neat, newly painted, honeysuckled, cheerful looking which needs not the special New York stamp on it to tell its origin. Then comes a Jersey oligate, and they are as numerous as mosquitoes in that Paradisiacal region. A man emerges from an unsightly abode, and his face in the blazing sunlight seems like a piece of wood with a great many knots in it, and his voice like a saw calculated to cut such knots. The thrifty character of our neighbors across the Hudson being appeared the cortege passes on. Then our driver, being a httle in advance of the usual procession of vehicles from the - Hotel, Long Branch, becomes unaccountably forgetful of the correct course leading to the Park. A discussion ensues between him and the occupants of the vehicle. The journalist, judging from the last night's position of the comet, advises to steer nor'-nor'-west, the vehicle would be better and the dramatic entrepreneur wisely suggests to ask the first aboricomes along what would constitute a bee line, irrespective of fences, for the desired track. A native of the soil, planted between two huge wheels, whose orbits seemed to rival those of the fixed stars, hove in sight, impelled by moffensive oxen, and to him the solution of the difficulty was intrusted. With a great many interludes of "Gee-hup!" the intenigent contraband, or native, suddenly forsook his pormal obtuseness and vouchsafed the important information "to keep on." After keeping on a half mile or so-and those Jersey miles seem to be constructed on a gutta percha pattern-the driver pulled up oppoate an unmistakable staked fence, over which other native was feaning. This scion of the soil grinned and sarcastically advised the vehicle take the road to the right. After anathematizing the aloresaid scion and the intelligent native, and wishing that the laws of the State regarding homiside were more lenient, we got back to Brown's

and thence to the track. THE LAST TRAIN had just puffed its way up to the abode of crack horsenesh and was disgorging its quota of raceloving homanity, and the poolseller (a private arrangement), the ten cent cigar man, the little blatant stage driver, the man who bets (from \$1 to \$10 without a cent in his pocket) and the special detective from the city were all actively employed. The hot July sun F. Morris' b. f. by Eclipse, dam Prophetess to \$10 without a cent in his pocket)
and the special detective from the city were poured down, and a great deal of warm lager beer, pig's feet done up in cremation style and hard boiled eggs followed suit before the immense srowd contrived to squeeze past the quarter room, and yet the dulcet tones of Underwood and the constant clicking at the Paris mutuals gave little repose to the excited crowd that surged in shrough the gates.

THE BETTING was one of the features of the course. Here was the Doctor, very red in the face and very limp in the shirt collar, frantically calling the attention of the multitude to the fact that the Blacksmith was going. A queue, extending over fifty yards, wound its devious way towards the French pools. One man, of redundant proportions, held between his tiny fingers hundreds of dollars intrusted to his care by perspiring friends who could not get in line in time, and all hopeful of the individual results of the Hopeful Stakes. After the race there was another queue, formed of winners too anxious to get the money they had won and forgetful of the fact that their checks were as sure those of a bank. Pools were formed in bats, in which the names of the contending steeds were registered on improvised ballots. Ladies drawing from the nats, we remarked, were addicted to the uniair propensity of taking asiy peep beforehand. The fair lovers always claimed a foul, which was promptly allowed. But on the grand stand the array of beauty was bewildering, and led the observer to think that like the liles of the field "Solomon in all his glory was not arrayed like one of these."

wildering, and led the observer to think that like the lilies of the field "solomon in all his glory was not arrayed like one of these."

THE FABLIONS.

The diversity which exists in the materials of ladies' toilets and the few iavorite styles that have held their own this season formed a special leature. The simple and convenient polonaise, the pretty sleeviess jacket were there in profusion. Beautiful toilets of musin and wide, fine Valenciennes lace over silk, dotted the front benches, and at the club house the veranda was decorated with those new sashes of alternate stripes of ribbon and lace insertion of the Vivien pattern. The skirts of the dresses, tied back by strings placed inside the breadths at the sides, the fronts being quite tight and the backs long and flowing, were very becoming. Garments wrought all over or heavily trimmed with English embroidery, adorned the forms of the exclusives, and in sike the variety was overpowering.

There was a great variety in the summer bonnets, and some of them were exceedingly pretty. Chariming hat bonnets, as the new styles are called, of American chip, were bound upon the edge with black velvet, a waite scart twisted round the crown, the ends floating behind and holding clusters of red and white currants, bunches of which also ornament the front. Simple little bonnets for country wear were trimmed with white twilled silk handkerchiels, sometimes bordered, sometimes dotted with a color. The square handkerchiels were used, and they were laid over the crown, one corner towards the front; but there was an art in arranging them gracefully. Very coquettish hats of Leghorn were turned up high on one side and feathered with a bunch of large, pright red cherries and black lace, a heavy scarf of black netted lace being twisted round the grown, and leaves and cherries intermingled in a light wreath.

Charming little blue silk capotès had a cap trown covered with clear musin, edged with fall of wide valenciennes lace. Inside the brim was a plaiting of Frence musin, or crèpe

If in converse, while on the gentle breeze was borne the rich fragrance of many an opening flower. Then when the sun climbed up and at high noon turned on all his fires on the well raked track, one would imagine a scene such as was prepared for Queen Elizabeth at Kent'worth by her favorite Dudiey, when naught was seen among the gailants but veivet and cloth of gold and silver, riobons, feathers, gems and golden chains. In this case the veivet and cloth were represented by dusters, the gold and silver by greenbacks and the feathers by five-cent fans. Among the fair ones the July sun gave no reason for any one to say that The air hath starved the roses in her cheeks And pinched the lily tincture of her face; for rouge was an unnecessary concomitant of the

for rouge was an unnecessary concomtant of the toilet on the occasion. The fringe of woods outside the course formed an appropriate frame to the bushing picture that made up the second day's racing at Monmouth Park.

#### THE RACING.

The admirers of the turf had another good day's racing at Monmouth Park yesterday afternoon. The speculators-those who make horses great favorites, in many instances without reason-met with heavy losses, as the favorites were beaten in the first and second races; and even in the third race, with Tom Bowling left out of the pools, they were losers again. The track was in fine order, but was not fast. The first of the three races was for the Hopeful Stakes, for two-year-olds, a dash of half a mile, which had seven starters; the second race two mile heats, and the third the Monmouth Cup, a dash of two miles and a haif.

The Hopeful Stakes closed with twenty-four nominations, seven of which came to the post. These were August Belmont's thesnut filly Caroline, Kentucky, dam imported Camilla; L. A. Hitchcock's chestnut filly ino, by Daniel Boone, dam Isadore Hill; P. Lortilard's bay colt James A., by Leamington, dam Maiden; P. Morris' bay filly, by Eclipse, dam Prophetess; John F. Caamberlin's gray flily Lizzie R., by Aster, dam Fairy; F. W. Hunt Reynolds' chestnut flily Aniella, by Australian, dam La Grande Duchesse, and H. P. McGrath's chestnut colt Aristides, by Leamington, dam Sarong. Mr. Lorillard's colt James A. was the first choice in the pools, Lizzic R. the second in favor, and the field, comprising Ino and Caroline, being the third in demand. Unfortunately for Mr. McGrath and Chamberlin their entries did not get started. Mr. Belmont's filly Caroline won the race with apparent ease, much to the delight of those who have been backing and losing on this stable during the present racing season. They seem to think that a change will now take place, and that victory will perch hereafter on the marcon and red, as it has done in the past. Mr. Hitchcock's filly Ino was second and Mr. Lorillard's James A. third. This was a "betting race," in the fullest meaning of the term, the pools being quite numerous and of good proportions.

The second race was the best of the day, as it was spiritedly contested throughout, three very fine heats being required to settle the affair. There were six entries for the event, five coming to the post. These were John Coffee's gray coil Donnybrook, by Lightning, dam Jessamine Porter: James Franklin's bay mare Arizona, by Lexington, dam imported Zone; M. A. Littell's chestnut coil Fellowcrait, by Australian, dam Aerolite; H. P. McGrath's bay mare Jury, by Lexington, dam Roxana, and Lawrence and G. Loriliard's bay horse Shylock, by Lexington dam Edith. Before the race began Jury was the favorite, Shylock the second choice, Arizona the third; but after Arizona won the first heat she sold for two to one over the field. Donnybrook won the second heat and then the betting changed again, and the gray coil had the call at two to one. Donnybrook won a good race after three finely contested heats, proving himself a very good and reliable horse. Both Jury and Shylock disappointed their owners and backers.

The great event of the day, however, was the James A, third. This was a "betting race," in the

and backers.

The great event of the day, however, was the race for the Monmouth Cup, because the greatest and backers.

The great event of the day, however, was the race for the Monmouth Cup, because the greatest racehorse at present in America—for Bowling—was announced to run for it, and he won it in a canter. Three other horses came to the post to contest for the second and third moneys, smounting to \$450, which had to be taken out of the stakes, the whole amount of which was \$2.760. The horses that started with Tom Bowling were J. W. Hunt Keynolds' bay colt Ransom, and P. Lorillard's chestnut horse Village Blacksmith. In the pools sold without Tom Bowling Village Blacksmith was a great favorite, Ransom the second choice and Whisper third, the latter having many friends to back him to win. Whisper was second to Tom Bowling, and, as a mater of course, those who bet on him won their pools. Village Blacksmith broke down when a quarter of a mile from the finish, and it is feared will never appear again in a race. Whisper is a well ored horse, of good size, with a very lair turn of speed. The time made by Tom Bowling in this race was far beind that made by Helmbold for the same trophy at the same place July 30, 1870, which was 4:334. The time yesterday was 4:424; to the Tom's race yosterday was simply an exercising gallop, while Helmbold's was a hard run race.

The First Race.

The First Race.

The First Race.

Hopepul Stakes, value \$500, added to a sweenstakes of \$50 each, play or pay, for two-year-olds;
the second to receive \$100 and the third horse \$50
out of the stakes; hair a mile. Closed with twentyfour nominations. The following were the
STARTERS.

A. Belmont's ch. f. Caroline, by Kentucky, dam
Camilla (Evans)

(Sparing).

J. W. Hunt Reynolds' ch. f. Aniella, by Australian, dam La Grande Duchesse (Pisher)... 5

John F. Chamberlin's gr. f. Lizzle R., by Aster, dam Fairy (Hughes)... 6

H. P. McGrath's ch. c. Aristides, by Leamington,

dam Sarong (Swim)...... Time, 0:51.

dam Sarong (Swim).

Time, 0:51.

Time, 0:51.

The Betting.

Chamberlin's...\$105 115 105 140 230 360

Lorillard's... 75 100 100 150 350 505

Morris'... 30 50 50 70 125 165

Reynolds'... 38 40 45 60 105 165

Field... 105 109 95 145 240 325

The RACE.

After a few breakaways by James A. and Aristides the youngsters were started with Camilia in the lead, James A. second, Ino third, Aniella fourth, Morris' filly fith, Lizzie R. and Aristides standing at the post for a second or two after the others were in motion. Camilia led around the lower turn by a head, James A. second, Ino third, the others following as well as they could; but the chances of Lizzie R. and Aristides were gone, as they were so far behind at the start that they had not been in the race from the tap of the drum. As the youngsters passed the three-quarter pole James A. showed his head in front, Camilia a head in front of Ino, Morris filly fourth, Aniela fith, Lizzie R. eight lengths behind, yet ten ahead of Aristides. The run up the homestretch was very spirited, and when the youngsters reached the furlong pole the afhair was setled, as Camilia came out from the others, and, running home gamely, won the race by two lengths, Ino second, a head in front of James A. Morris filly was a good fourth, Aniella fifth, Lizzie R. sixtl, Aristides seventh. Time, 51 seconds. The value of the stakes was \$1,700.

The Second Race.

The Second Race. Purse \$750, for all ages; enrance money to the second and third norses. Two mile heats.

hs. (Evans).

Lawrence & Lorinard's . h. Shylock,
by Lexington, dam Editi, 5 years old,
114 bs. (Hayward).

H. P. McGrath's b. m. Juy, by Lexington, dam Roxana, 5 years old, 111 lbs.

(SWIM)	/**	**********	3	4 T. O
Tune,	3:41-3:	45 14-4:01		
	HE BET			
шгу	2125	500	610	650
hylock	200	339	480	460
rizona	125	270	350	200
ellowcrait	155	255	315	230
onnybrook	90	180	200	100
ATI	r Firs	t Heat.		
rizona	\$150	1.160	950	550
	155	225	200	12
ury	100	365	255	150
rield	er Scoon	a Heat.		-
onnybrook		1,450	1.500	500
		720	750	260
Arizona	THE TA			
			Carried Co. Sec.	Depart Control

RK HERAID, WEDNESDAY, JULY 8, 1874.—TRIPLE

and shylock now began to move up. Felloweral, took the lead of the backstretch and was half a three lengths shead of Arzona, who was four tengths in advance of Stylock, the latter began the latter of the polity of the latter strong running around the lower turn, and one of the control of the latter strong running around the lower turn, and one of the control of the latter strong running around the lower turn, and one of the control of the latter strong running around the lower turn, and one of the control of the latter strong running around the lower turn, and one of the control of the latter stong the latter strong running around the lower turn, and the control of the latter stong running around the lower turn, but the latter stong running around the lower turn, but the latter stong running around the lower turn, but the latter stong running around the lower turn, but the latter stong running around the lower turn, but the latter stong running around the lower turn, but the latter stong running around the lower turn, but the latter stong running around the lower turn, but the latter stong running around the latter stong running around the lower turn, and the cold. The latter stong running around the latter stone latter sto

Monmouth Cup, value \$1,500, added to sweepstakes of \$50 each, play or pay; the second to receive \$300 and the thri horse \$150 out of the
stakes; two miles and a half. Closed with Twentyjour nominations. The following were the
starters:—
H. P. McGrath's b. c. Tom Bowling. by Lexington, dam Lucy Fowler, 4 years oid (Swim).... 1
J. W. Hunt Reynoid's b. c. Whisper, by Planet,
dam Mattie Gross, 4 years oid (Faimer).... 2
Babcock & Ransom's b. c. Ransom, by Asteroid
dam Banner, 4 years oid (A. Lakeland)..... 3
P. Lorillard's ch. h. Village Blacksmin, by Vandal, dam Cholera, aged (Barbee)..... 0
Time, 4:4254.
The Betting.

six lengths in front of Rausom. The time of the dash was 4:42%. The value of the cup was \$2.700. PREVIOUS WINNERS OF THE MONMOUTH CUP. 108 108 114 114 108 21 15 12 13 24

### DEERFOOT PARK.

First Day of the Summer Trotting Meeting-Lady Blanche the Winner of the Three Minute Purse-The 2:36 Race Postponed After Five Heats.

Notwithstanding the counter attraction at Long Branch, there was a large gathering at Deerfoot Park yesterday alternoon to witness the opening events of the summer trot-ting meeting. These were, first, a purse of \$300, for horses that had never beaten three minutes, mile heats, best three in five, in harness, for which here were eleven entries and eight starters. In the pools, before the horses were called to the track. Gussie was the favorite, even against the field, and although Lady Blanche won the first heat the admirers of Gussie didn't think she could lose the race, and ventured money at these rates:-Gusste, \$40; Lady Blanche, \$10; Field, \$10. Lady Blanche also scored the second heat, when Gussie went to the front and captured the third and fourth, making two each for her and Blanche. Then came the "tug of war," and atter a gallant struggle Lady Blanche won the fifth heat and race amid the

the "tig of war," and after a gallant struggle Lady Blanche won the fitth heat and race amid the rejoicings of her admirers.

The second event on the card was a purse of \$300, for horses that had never beaten 2:36; mile heats; best three in five, in harness. This brought to the score eight starters—Pollock, Farmer Boy, Ella Madden, Washburn Maid, Harry Gilbert, Lady Annie, William H. Force and Beasle B. In the pools early in the race Washburn Maid commanded the highest figures, Bessie B. second choice, then Gilbert and the field, at about even against the three named. Pollock very unexpectedly won the first heat, then Lady Annie took the second and third heats, when she sold for more money than all the rest. In the fourth heat Madden and Annie crossed the score first and second, but were set back for running, and the heat, which was made in 2:37, given to Farmer Boy. The fifth heat was scored by Washburn Maid, when, darkness coming on, the contest was postponed until to-day at twelve o'clock. Great difficulty was experienced by the judges in starting the horses for the several heats. The drivers found they had men in the stand they could "fool" with, and ther

seemed very anxious to engage the oldest of the two girls, who was named Emilia. He said that he wanted her to go to No. 38 Amity street, which is a deserted or vacant house and there she would find employment. Emilia testified in Court yesterday that she told Celeste Rosavalli, her companion, to go to her mother's house, in Sullivan street, and inform her mother that she had got' employment. The little girl walked to the house in Suilivan street and did her errand. Emilia, as she tells her story, went to No. 38 Amity street and

A DESERTED HOUSE, and was followed by a negro who had lime on his shoes and wore trousers covered with lime, and she also described him as wearing a reddish colored worsted jacket. The negro here enticed her to the top floor of the deserted house. On one side was a little and delicate girl and on the other a grown and brutal negro. What happened here cannot be described; suffice it to say that the

cannot be described; suffice it to say that the devil succeeded in committing his crime and the physician who was called in next day at the residence of the child's mother declared that he believed that sie would die. Late in the afternoon a colored man, with lime on his shoes, was arrested as he was crossing on Sixth avenue diagonally toward Jefferson Market, by an officer who was in company with the brother of Emilia Bandinoili, a young man.

THE VICTIM OF THE OUTRAGE had seemed to describe the man who was arrested in an indefinite way. The colored man, whose name was William Baker, went willingly with the office to the residence of the girl's mother in Sullivan street, and Officer Burke told his prisoner to waik shead of them, and made him walk shead of him into the room in which the girl was lying on a bod. She appeared to recognize him; but at this place the evidence seems to be very conflicting and not at all positive. Counselior Hummel, for the defence, did not attempt to crossexamine the girl Emilia or her companion Celeste. examine the girl Emilia or her companion Celeste, but reserved his questions for his own witnesses. Two or three policemen testified, but their evidence did not seem to prove anything excepting that they had arrested Baker and had searched the house in Amity street, finding nothing there, alive or dead, and that they had searched the nouse of Baker, in Greene street, who is a married man, and jound no evidence whatever to show that he had committed the crime. Mrs. Baker,

young woman of mulatto color was present in court, and also there were two witnesses named Nixon and Jones for the prisoner. At last Baker was put upon the stand, and ne seemed to be a very decent looking person. He was also a queer looking man, and the bottom of his well-worn trowsers had shrank up about Jour inches in the direction of his knees. He told a very straight-Jorward story, giving his movements up to the very hour of the day on which the crime was committed. District Attorney Allen questioned him nevery manner possible, and it did not make the accused swerve for one instant. He declared before God to the jury that he had never in is life seen either of the young girls. And he was a declared before God to the jury that he had never in ins life seen either of the young giris. And he was a father and had a lather's feelings and that he would not wrong any man's child. This he spoke to the jury in an earnest tone, causing quite a sensation in Court. Baker also afforded considerable aimusement when he was diffident, in stating his conversation with his friend Nixon at an early period of the day, but he finally acknowledged that Nixon, who is a church member, had told him of a dream and he had

GONE DOWN TOWN TO FLAY POLICY

who is a church member, had told him of a dream and he had Gone Down town to flay policy on Nixon's dream. He also declared that he had never worn a red flaunel shirt in his hie and that he was not in the habit of wearing white overalls. The girl had testined to these supposed facts and Baker's statement had a great enect. The two darky friends of Baker were ordered out of Contiduring the testimony of the prisoner, but word for word they swore to the same statement, showing how they had met on the 22d of May and giving their conversation with him on West Broadway. The prisoner showed how he had whitewashed a room in No. 181 Mulberry street, and when arrested was on his way to collect \$1.00 from a Mrs. Graham in West Twenty-first street, for whom he had done a job on the day previous. He also swore that he was not informed of the charge against him when arrested, and when taken to the room in which the little girl was lying the brother of the girl said to his sister.

"THAT'S THE MAN ISN'T ITY"

arrested, and when taken to the footh in which the little girl was lying the brother of the girl said to his sister.

"THAT'S THE MAN ISN'T IT?"
and she declared that she thought it was, but was not positive. When taken to the station house, in the precinct of Captain Williams, he was struck on the head by the turnkey violently, and did not know of his accusation until he was taken to police headquarters.

Judge Sutherland asked the witness several questions and also asked the prisoners a number of questions, but they seemed to corrobate each other. When the witness Jones was asked to testly, he did not touch the book, but drew his right hand first horizontally and then perpendicularly across his chest. When asked his name, he answered, with loud and distinct voice, "N-o-a-h-Lorenzo—Jones," answered the witness, more emphatically and more slowly than belove.

ness, more emphatically and more slowly than belore.

Noah Lorenzo swore that he drove four-in-hand
for Colonel Delevan, who had lately been a member
of the Grand Jury and had known the prisoner for
twenty-five years, and that his reputation was as
good as any other man's, and that he and witness,
had never been guilty of playing policy.

Judge Sutherland, soon after, adjourned the
Court until this morning and cantioned the jury
against speaking of the case. The burden of the
proof seems to rest on the question of identity,
and the defence is that it was another negro, unknown, who committed the crime.

### A DISHONEST DOMESTIC.

mrs. Anna Seaman, of No. 398 Sixth avenue, has nissed a large number of small articles of clothing, jewelry, &c., for the past few months. Suspecting one of her servants, she called on the serpecting one of her servants, say caned on the ser-vices of Officer Maloney, of the Twenty-ninth pre-cinct. The officer scarched the room of Anna Gage, who lives in the house, and found concealed therein most of the articles lost, amounting in all to the value of \$90. Judge Murray yesterday com-mitted Anna in \$1,000 ball to answer.

# THE COURTS. seller in rutton street. These prisoners were each sent to the Penitentiary for six months.

The Heatherton Divorce Suit---Application for Alimony.

### THE PRICE DIVORCE LITIGATION.

The Park Theatre and the New York Life Insurance and Trust Company.

BUSINESS IN THE OTHER COURTS.

Henry Fischer, of No. 1,115 First avenue, and Patrick Bryan, of No. 736 First avenue, liquor dealers, were vesterday arrested and brought before United States Commissioner Shields, charged with non-payment of the government tax. They were allowed to go on their own recognizance.

Three satiors of the German bark C. L. Wyer were vesterday arrested for desertion and brought before United States Commissioner Osborn. The captain of the vessel refused to prosecute them. The matter was then referred to the German Con-

Valentine Gleason, one of the parties charged with being implicated in the New York Central Ratiroad bond lorgeries, was yesterday admitted to ball by Judge Lawrence, of the Supreme Court. The amount of bail was \$15,000, and the sureties Michael J. Boynton and Thomas Cort.

#### THE HEATHERTON DIVORCE SUIT.

Mrs. Mary J. Heatherton brings suit for a limited divorce against James M. Heatherton, her husband, on the ground of cruel and inhuman treatment, and during the pendency of the suit applies for alimony and counsel tees. Various alleged acts of cruel treatment are charged in the complaint. The answer denies the allegations and sets up explanations to some of the charges, shows that the defendant has supported the plaintiff and lived with her since the commencement of the action up to the 1st of June last, and further sets up im proper conduct on her part, for which he has proper conduct on her part, for which he has brought an action for divorce against her on the ground of adultery. The case came up for argument yesterday in Supreme Court, Chambers, before Judge Lawrence. The papers were voluminous, and the respective counsel retrained from reading their contents, but merely stated the substance of them.

The plaints was represented by Merchants. The plaintiff was represented by Messrs. Spellissy, ibbons and McMurray, and the defendant by

Samuel G. Courtney.

At the close of the argument Judge Lawrence took the papers, reserving his decision.

#### THE PRICE LITIGATION.

The interminable matrimonial suit of Price against Price came up yesterday in Supreme court, Chambers, before Judge Lawrence, in the form of an application by Mr. Oakey Hall, for Colonel Walter W. Price, to change from New York to Warren county the place for trial of a suit brought against the Colonel by his late wife Constantia. This is to determine an interest of \$10,000, which she claims in a mortgage for \$50,009, given by the Messrs. Roessle, the proprietors of the Fort William Henry Hotel, at Lake George, and being a lien on that property. She alleges that the Colonel, after giving her this interest in the land, is now endeavoring to get payment of the whole interest to her prejudice. The Colonel denies her rights, and a trial hereafter will settle them. The motion was made on the ground that the policy of law as enunciated in the code provided that counties which contained the land about which any legal or equitable interest was litigated should bear the burden and cost of the law proceedings. The application was opposed by Barrett, Hill and Brins, made on the ground that the suit was not about land nor an interest in it, but about a mere interest in a morigage, which is personal property. The Court took the papers, counsel reserving the present motion failed. Colonel, after giving her this interest in the land

### THE PARK THEATRE.

Mr. W. J. Marvin, in behalf of the New York Life Insurance and Trust Company, who own the land on which the Park Theatre was built, applied yesterday to Judge Powler, in the Third District Court, for a dispossession warrant against Mr. James Purrsell, the lessor of the land. The application was resisted by Messrs. Oakey Hall and General W. H. Arthur, representing respectively William Stuart (who leases the theatre from Mr Yurnsell and Elisha Riggs. of Washington, who holds a mortgage on the building. It appeared that the lessor of the land owed ground rent since last November and that Mr. Riggs is now foreclosing his mortgage. After preliminary hearings the matter was adjourned until next Tuesday at ten

### BUSINESS IN THE OTHER COURTS.

SUPREME COURT-CHAMBERS.

Decisions.

By Judge Lawrence.
Hughes vs. Paraf.—Granted,
Hodson vs. Nudd.—Granted.
Wright vs. Sullivan.—Granted.
Snyder vs. Biood.—Granted.
In the matter of Fanny A. Palmer.—Granted.
Winship vs. Winship.—Memorandum.
Greenwich Savings Bank vs. Murray.—Granted.
In the matter of William H. Morris.—Denied;
memorandum.

In the matter of William II. Morris.—Beauty, memorandum.
Forehand vs. Collins.—Granted.
World Mutual Life Insurance Company vs. Lowic.—Granted.
Jourdan vs. Jourdan.—Motion denied; memorandum.
Belding vs. Leichardt.—An allowance of \$750 granted to respondent.
In the matter of G. B. Dalley.—Memorandum.
Kratochville vs. Brayer.—Granted.
Metrihill vs. Fitzgerald.—Granted.
Call vs. Cole.—Granted.

ith vs. Pettee, -Granted. Gaz vs. Arents.—Granted.
Baerlent vs. Boehm.—Granted.
Felkamp vs. Goodchild.—Granted.
Delaney vs. Maloney.—Granted; \$10 costs.
Jonnson vs. Beebe.—Granted.
Leakland vs. Sandford.—Memorandum.

#### SUPERIOR COURT-CHAMBERS Decisions.

By Judge Speir.

By Judge Speir.

Eleazer Parmiey vs. George Bradshaw.—Motion hat the plaintid make the sixth article of the mended complaint more definite and certain is ranted. The motion to strike out the thirteenth and fourteenth articles in said complaint is denied

and fourteenth articles in said complaint is deciled with costs. See memorandum.

Henry P. De Graaf vs. John H. MacKinley.—Motion of defendant to stay proceedings until appeal from the order granting a reference be heard, granted on paying costs of motion and filing security.

John Sacmazzini vs. Maggie Sacmazzini.—The motion for alimony and counsel fee to enable defendant to detend, &c., is denied, without costs and without prejudice to renewal of motion.

Edward C. Granam vs. Ella Nora Hoy, Executrix.—Motion for an allowance of two and a hair per cent, granted.

COMMON PLEAS-CHAMBERS.

By Judge Van Brunt.

M. Reiseg vs. M. Monchan.—Motion adjourned to July 20, at ten A. M.

James A. Kennedy vs. S. McElwing.—See memorandum.

J. E. Morris vs. L. D. Whitney.—See memorandum.

in the Matter of John S. Lynck.—Order signed.

#### GENERAL SESSIONS. Before Judge Sutherland.

There was a large number of cases on the calendar for trial yesterday, but a great many of them were moved off by counsel, who gave various excuses for not being ready to proceed.

## Larcenies.

Edward Palacios, who was charged with stealing \$680 in money on the 25th of June from Thomas W. Tobin, pleaded guilty to an attempt at grand larceny. The sentence His Honor imposed was imprisonment in the State Prison for two years and six months.

James Newton, alias John W. Adams, pleaded guilty to obtaining \$65 worth of cigars on the 15th

James Newton, alias John W. Adams, per little of blaining \$65 worth of clears on the 15th of June from Lichenstein Brothers by presenting to the firm a laise token.

James O'Brien was convicted of petit larceny, the charge being that on the 22d of June he stole a quantity of humorous "railroad" books from the store of John B. Collin, No. 48 Ann street. He was convolt disposing of blem to a second hand book-

#### PIFTY-SEVENTH STREET POLICE COURT. Suspicious Conduct of a Returned Con-

vict.
Peter Daley, who says he is an agent for a sewing machine company and a resident of Bleecker street, was arraigned before Judge Sherwood at this Court yesterday under very suspicious circumstances. On Monday he called at the locksmith shop of N. Florintine, No. 789 Sixth avenue, and after ascertaining from him that he made skeleton keys from impressions on wax and plaster, he inquised of Fiorintine if he could make extension "pimmies." The locksmith's shop was robbed by burgiars a few months ago, and Fiorintine, finding within his grasp one whom he had every reason to believe was a master burgiar, determined to revenge himself on the whole brother hood of thieves by the arrest of Daley. The latter on being arraighted was recognized as an old offender, who had been sent to Sing Sing, once from Brockiyn and twice from this city, the last time being in May, 1870, when, under the name of James Daley, he was sent up for five years. According to the police record he was discharged on the 2d of mal mouth, thus leaving one year yet to be accounted for. Did he escape or was ne dischargedy The Court remarked that the offence charged against the prisoner was a serious one, and he was sorry he could not hold him for trial, but he would commit him in default of \$500 to keep the peace for six mouths. That was all the law allowed.

Assault with a Pole. quired of Florintine if he could make extension

Assault with a Pole.

Kate Mooney was charged with assaulting Mary Fitzpatrick with a pole, and inflicting on her head a severe wound. Before her removal to Bellevue Hospital she bied very much, and, in consequence, is now in such a condition that she is not able to leave her bed. Kate was committed to await the result of her victim's injuries.

#### COURT CALENDARS-THIS DAY.

COURT CALENDARS—THIS DAY.

SUPREME COURT—SPECIAL TERM—Held by Judge Donohue.—No. 54.

SUPREME COURT—CHAMBERS—Held by Judge Lawrence.—Nos. 7, 40, 44, 49, 52, 58, 62, 64, 69, 78, 82, 78, 88, 89, 110, 118, 122, 124, 136, 137, 138, 143, 145, 145, 154, 154, 157, 171, 172, 174, 177, 178.

COURT OF GENERAL SESSIONS—Held by Judge Sutherland.—The People vs. Andrew Torney, robbery; Same vs. Samuel Cronin and John Dunn, felfonious assault and battery; Same vs. Otto Metzner, burglary; Same vs. Joseph Keating and Michael Powers, burglary; Same vs. John Wilsams, larceny from the person; Same vs. George Davis, larceny from the person; Same vs. Thomas Moore and Patrick King, larceny from the person; Same vs. John Same vs. James Miller and William J. White, larceny from the person; Same vs. John Gedly, larceny from the person; Same vs. John Gedly, larceny from the person.

COURT NOTES.

#### COURT NOTES.

Now that the summer vacation in the courts has fairly commenced most of the court rooms present a very "banquet-hall deserted" appearance. Only three courts are in session-Supreme Court, Chambers, and the Special Terms of the Superior Court and Court of Common Pleas.

Most of the judges are already away enjoying their summer respite from their judicial duties, Judges Brady and bonohue are still lingering in town, but will speedly hie away to their accustomed summer resorts. Judge Barrett, who has been ill for some months, is recuperating his health among the Green Mountains of Vermont. One of the latest of the elect to the bench of the Marine Court is exemptifying the old adage that "New brooms sweep clean." The other older "If not abler" judges of the court have never attempted to overdo the thing. Strike off the daily calendar by self-assumed work to the annoyance of all, and pile it ou to the work of the General Term. Give us a rest!

Court business is getting small by degrees and beautifully less in this hot weather only in the Marine Court, where an "old woman so high is sweeping the coowess of the sky"—meaning an abortive attempt on the part of one judge to sweep the cases off the calendar. The tail of the comet is working wonders. their summer respite from their judicial duties.

#### BROOKLYN COURTS.

SUPREME COURT-SPECIAL TERM. The Estate of Hoyt, Sprague & Co.-The Before Judge Gilbert.

The financial misfortunes of the great firm of Hoyt, Sprague & Co., which have been a lively topic of discussion before the courts for some time past, were again brought to the surface yesterday. The firm suspended under the advice of creditors, The firm suspended under the advice of creditors, their liabilities amounting to militons, during the monetary depression last winter. On May 15, 1874, the creditors assented to an extension of time. Shortly after the head of the firm, Mr. Edwin Hoyt, died, and Messrs. Charles G. Franklin and W. Allen Baker quantified as his executors. The executors then asked for an injunction and a receiver in order to prevent the surviving members of the firm from entering into new arrangements. Yesterday the case came up in the Supreme Court, Special Term, before Judge Gilbert, on an order to show cause why the receiver, Mr. A. D. Juillard, should not be continued and the injunction become permanent. Judge Gilbert granted the application and directed Mr. Juillard to increase his bond from \$100,000 to \$250,000.

### A NOLLE PROSEQUI.

TO THE EDITOR OF THE HERALD :-In your paper of October 19, 1873, you published an article referring to me headed, "How He Did

The article stated that I had been arrested on complaint of Koch Sons & Co., of No. 156 William street, on a charge of embezzlement. It is true I was arrested, and subsequently indicted, and for four months was contined in the Tombs, and aithough brought to court six or more times for trial, being always ready, the District Attorney failed to put me on trial as the complainants were invariably unprepared. On the stn day of Feoruary, on motion of my counsel, Mr. John D. Townsend, I was discharged on my own recognizance, the complainants having voluntarily written a letter to the District Attorney signlying their desirence to have me tried. Knowing well that my arrest was prompted by the desire to impeach any evidence i might give against Messrs. Koch Sons & Co. in the matter of their fraudulent entry of goods in the New York Custom House, of which I had abundant proof, I immediately upon my discharge, commenced taking action against them by making complaint to the proper authorities, which, as soon as they heard of, caused them again to have me arrested, and I would have been again incarcerated had not the District Attorney seen fit to discharge me, upon the personal assurance of Mr. Townsend that I would appear for trial the following week. From that time to this date I, either by counsel or personally, have daily been to the District Attorney and urgently demanded a trial upon the charge pre-lerred against me, till at last the District Autorney has left obliged to enter a "noile prosequi" in the case.

Your article has, although, no doubt, mintenthough brought to court six or more times for

case.
Your article has, although, no doubt, unintentionally, done me great injury, and in common justice I ask you to give this a place in your paper.
NEW YORE, July 1, 1874. FREDERICK S. BECK.

### LARCENY ON SHIPBOARD.

Quite an excitement occurred on pier No. 20 East River by the arrest of seven of the firemen and a coal passer belonging to the steamship Civde. Texan ports. It appears that on her homeward trip the Clyde touched at Key West and brought from there some shipments of cigars, water melons from there some shipments of cigars, water metons and other similar species of Southern produce. During the voyage the officers of the ship found that the men were not only making free with the meions, but also appropriating quantities of cigars, to do which they broke into the cases that were the easiest of access. The delinquents received warning that their evil ways were known, but took no heed, and continued to help themselves at pleasure, notwithstanding that precautions had been taken to try and put the coveted merchandise beyond their reach. This at least is the story of the charges made against the men by Captain W. H. Kennedy, of the Clyde steamer, and in conformity with it they are now in the Second precinct police station, neekman street. It seems that before procuring their arrest the captain of the vessel offered to compromise the matter if the men would consent to pay a fine of \$3 each, which they refused to do. The slaughter of the melons must have been something rightful, and so far about 600 cigars are reported as missing. The names of the accused parties are John Nevens, who resides at No. 100 Mott street; Nicholas Maxweil, No. \$5 Chariton street; Thomas Bowe, Albauv street; Edward Kelly, No. 126 Cedar street; George Gordon, No. 429 Washington street; James Murphy, No. 429 Washington street; William Christopper, No. 24 Cherry street. The prisoners will be examined to-day.

### BROADWAY SHOPLIFTERS.

A man named Herman Holden went into the store of Aitken & Co., No. 873 Broadway, vesterday afternoon, and asked to look at some lace goods Mr. Duncan Mitchell, one of the salesmen, was watching Holden, and he saw him take up three watching Holden, and he saw him take up three packages of laces and attempt to secrete them under his coat. Holden caught Mr. Mitchell's eye on him, and he suddenly let the goods he was trying to steal drop to the floor. Officer Tyler, of the Broadway Squad, was called in, who immediately took Holden into custody, and took him before Judge Murray, at Jefferson Market. The prisoned was held in \$2,000 ball to answer at General Seasions.